

REMARKS

This paper is presented in response to the Office Action. By this paper, claim 1 is amended. Claims 19-29 were canceled in a previous paper. Claims 1-18 and 30-34 are now pending.

Reconsideration of the application is respectfully requested in view of the aforementioned amendment and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicant notes that the amendment and remarks, or a lack of remarks, set forth herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

II. Objection to Claim 1

The Examiner has objected to claim 1 because the term "said optical fiber" lacks antecedent basis. In light of the amendment herein to claim 1, Applicant respectfully submits that this objection has been overcome and should be withdrawn.

III. Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-18 and 30-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0252952 A1 to Ayliffe et al. ("*Ayliffe*"). The Examiner has also rejected claims 4 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Ayliffe* and U.S. Patent Application Publication No. 2004/0101258 A1 to Aronson et al. ("*Aronson*"). Applicant respectfully disagrees but submits that in light of the discussion below, the rejection has been rendered moot and should be withdrawn.

Particularly, Applicant has submitted herewith, as 'Appendix A,' a declaration under 37 C.F.R. § 1.131 to demonstrate reduction to practice of the claimed invention prior to the effective dates assigned by the Examiner to the cited references, i.e., *Ayliffe* and *Aronson* (the "Declaration"). As to such effective dates, the Examiner has stated that the effective date of *Ayliffe* is December 5, 2002, and the effective date of *Aronson* is November 26, 2002. *Office Action, pages 3 and 5*. Thus, the earliest effective date identified by the Examiner is November 26, 2002. On the other hand, the Declaration states that "...we

conceived and reduced the Invention to practice in the United States prior to November 26, 2002..."
Declaration at 1.

Attached to the Declaration as evidence of prior conception and reduction to practice of the claimed invention is an invention record disclosing the claimed invention and signed by each of the named inventors on or before May 13, 2002.

In connection with the foregoing, Applicant notes that, as indicated in 'Appendix B' hereto, Ayliffe was abandoned on April 14, 2006. Therefore, the exception set forth at 37 C.F.R. § 1.131(a)(1) is not applicable to *Ayliffe* since *Ayliffe* is no longer "pending" before the United States Patent and Trademark Office. With further reference to the aforementioned exception, Applicant hereby makes no assessment or judgment as to whether the invention claimed in *Ayliffe* may or may not be the same as that claimed in the present application.

In view of the foregoing, Applicant respectfully submits that *Ayliffe* and *Aronson* are not prior art as to the claimed invention, and the rejection of claims 1-18 and 30-34 under 35 U.S.C. § 103(a) based upon those references should accordingly be withdrawn.

CONCLUSION

In view of the amendments and remarks submitted herein, Applicant respectfully submits that each of the pending claims 1-18 and 30-34 is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 28th day of December, 2006.

Respectfully submitted,

/Peter F. Malen, Jr./

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Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone: (801) 533-9800

APPENDIX A

to

RESPONSE TO OFFICE ACTION MAILED
JULY 20, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
	Raymond W. Blasingame et al.)
)
Serial No.:	10/620,512) Art Unit
) 2874
Filed:	July 16, 2003)
)
For:	COUPLER HAVING REDUCTION OF REFLECTIONS TO LIGHT SOURCE)
)
Confirmation No.:	8497)
)
Customer No.:	022913)
)
Examiner:	Hemang Sanghavi)

DECLARATION UNDER 37 C.F.R. § 1.131

The undersigned hereby declare as follows:

1. We, Raymond W. Blasingame, Bo Su Chen, James K. Guenter, James C. Lee, Bernard Q. Li, and James D. Orenstein are the co-inventors of the invention disclosed and claimed in United States Patent Application No. 10/620,512 ("the Invention").

2. Attached hereto as 'Exhibit A' is a copy of an invention record which includes a description of one or more embodiments of the Invention (the "Invention Record").

3. The Invention Record was signed and dated by each of us on or before May 13, 2002.

4. As indicated in the Invention Record, we conceived and reduced the Invention to practice in the United States prior to November 26, 2002.

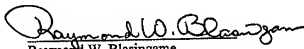
5. We were each personally involved with the conception and reduction to practice of the Invention.

6. The conception and reduction to practice of the Invention both took place during our employment at Honeywell International Incorporated.

7. We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 15 day of December, 2006.

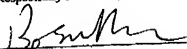
Respectfully submitted,


Raymond W. Blasingame

Application No. 10620.513
Docket No. 15436.641.6
Declaration Under 37 C.F.R. § 1.131

DATED this 14 day of December, 2006.

Respectfully submitted,


Bo Su Chen

Application No. 10/000512
10/000512-10/000512-1
Declaration Under 37 CFR § 1.131

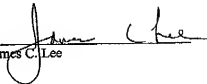
DATED this 15th day of December 2006.

Respectfully submitted,


James K. Gumbler

DATED this 27 day of December, 2006.

Respectfully submitted,


James C. Lee

Application No. 10/620,512
Docket No. 15436.441.6
Declaration Under 37 C.F.R. § 1.131

DATED this 14 day of Dec., 2006.

Respectfully submitted,

Bernard Q. Li
Bernard Q. Li

DATED this 13 day of Dec., 2006.

Respectfully submitted,

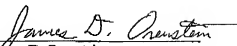

James D. Orenstein

EXHIBIT A

to

DECLARATION UNDER 37 C.F.R. § 1.131

Honeywell CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGED

Invention Record
(Docket) No.:
H0004037

Origin Date:
05/01/2002

SBE: V637 - Phnx., AZ - VCSEL

Attorney(s): Abeyta, Andrew A

File Location: PH - Phoenix, AZ

Title: Method For Reducing/Preventing Reflections From The Fiber Face Returning To The VCSEL

Inventor: Blasina, Raymond W
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SSN: *****
County: Collin
Supervisor: Joe Alzpuru

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SSN: *****
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Supervisor: Joe Alzpuru

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SSN: *****
County: Hennepin
Supervisor: Mary Hibbs-Brenner

Inventor: Li, Bernard Q
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Phone: 763 954-2036 **Fax:** 763 954-2713
Citizenship: U.S.

SSN: *****
County: Hennepin
Supervisor: Mary Hibbs-Brenner

Inventor: Orenstein, James D
Address: 1802 Rocky Creek Dr., Duncanville, TX 75137
Phone: 972-296-4873 **Fax:** 972-470-4504
Citizenship: USA

SSN: *****
County: Dallas
Supervisor: Joe Alzpuru

1. Briefly describe the technical or commercial problem or need that this invention is intended to solve.
When coupling a VCSEL (Vertical Cavity Surface Emitting Laser) or other laser types to an optical fiber, the light reflected from the face of the fiber can be reintroduced to the laser cavity. This unwanted reflection causes fluctuation in the coupled optical energy.

2. Briefly describe how this invention solves the problem or meets the need.

By coupling the light into the optical fiber through an index matching medium that acts as a fiber stop, reflected light that may be coupled back into the laser cavity is reduced or eliminated. This index matching medium can be a flat optical surface such as a silica window (flat on two sides), or part of a molded lens. A molded lens may have a flat surface as the fiber stop, or a curved surface as the fiber stop. The window or lens material may be glass or plastic.

3. Describe how to make and use the invention. Please indicate which embodiment(s) are preferred and describe the best way known to you to practice the invention. Attach relevant documents. (If the invention is a device or process, please provide a drawing or flow chart.) (If you are unfamiliar with the contents and preparation of a patent application, please refer to the Guidelines for the Preparation of Invention Disclosures.

The implementation of this idea would occur in an optical subassembly or TOSA (transmitter optical sub assembly). Such an assembly would employ a transmitting laser diode which is optically coupled through a window and/or lens to the fiber optic cable. The optical elements (window and/or lens(es)) would be contained inside a housing which is commonly referred to as a barrel. See attachments for embodiment of this design.

Document(s):
H0004037_MU1_Index Match Implementations.zix

4(a). To the best of your recollection what is the earliest date on which the invention was conceived? Who conceived the invention? Attach documents which evidence the foregoing.

Conception Date: 12/17/01 Who conceived it?: Bo Su Chen
Document(s):

4(b). Is there a non-inventor who witnessed the conception? If so, please identify him/her and attach any documents which evidence the witnessing.

Witness Name: Witness Phone: Document(s):

5(a). To the best of your recollection, what is the earliest date on which the invention was reduced to practice (i.e. made)? Who reduced the invention to practice. Attach documents which evidence the foregoing. If no reduction to practice, type "N/A".
First Practice Date: 12/19/01 Who reduced it to practice?: Ray Blasingame Document(s):

5(b). Is there a non-inventor who corroborated the reduction to practice? If so, please identify him/her, the corroborating activity (i.e., over-the-shoulder corroboration or repeating the experiment), and the date of the activity. Attach documents which evidence the foregoing.

Non-inventor corroborator?:

First Corroborator Name: First Corroborator Phone:

First Practice Corroboration Date:

First Practice Corroborator Activity:

Document(s) related to corroboration event:

5(c). For each example of the invention and each comparative example on which you intend to rely in the patent application, please indicate when the example was generated, who conducted the experiment and where this example is recorded (e.g., volume, page and author or laboratory notebook) and attach a copy of these records. If no example available, type "N/A".

Example(s):

Who conducted the experiment?:

Where is example recorded?: Document(s):

6(a). Did this invention arise in a program that is funded in whole or part by the U.S. Government or another company, or any entity other than Honeywell?

6(b). If so, please identify the program (including government contract number, if applicable) and the entity sponsoring the program and provide a copy of any agreement between the parties concerning the program.

Outside Funding Program:

Contract Number (if applicable):

Outside Funding Entity:

Document(s) related to funding agreement:

7(a). To your knowledge, is this invention subject to any agreement between Honeywell and a third party (e.g., a secrecy agreement, license agreement, joint development agreement, etc.)?
No

7(b). If so, please identify the agreement and the other party and attach a copy of the agreement if one is available.

Third party agreement ID:

Third party name:

Document(s) related to any third party agreement:

8. You have a duty to disclose to the U.S. Patent and Trademark Office all relevant prior art of which you are aware. Please list all such prior art (e.g., patents, publications, brochures, Honeywell and third-party products) known to you. If a prior art search has been conducted, it must be included. Briefly indicate how this invention is different from the prior art. See 1 and 2 above.

List of prior art:

Active Device Receiptable - US Patent Number 6,086,263

How invention is different from the prior art:

No claim is made in US Patent Number 6,086,263 for a means of reducing light reflected from the fiber face and therefore reducing optical feedback to the laser diode.

9(a). Has the product or process which is the subject of this invention disclosure been disclosed, sold or offered for sale to anyone outside of Honeywell or to the general public.
No

9(b). If so, when and to whom was it disclosed, sold or offered for sale? If it was disclosed, was a secrecy agreement in place? Attach documents which evidence the sale or offer for sale.

Date it was disclosed:

Whom disclosed to:

Disclosure Sales Agreement?:

Document(s) which evidence the sale or offer for sale:

9(c). Does the business intend to disclose, sell or offer to sell the invention to anyone outside of Honeywell or to the general public in the near future? If so, to whom and when is this disclosure, sale or offer for sale planned?

Yes

For whom are future sales planned: Possible general sales - nothing specific planned

Date future sale is planned: 09/30/02

10(a). Does this invention relate to any other: (i) issued patents, (ii) pending patent applications, or (iii) previously submitted invention disclosures, of Honeywell?

Yes

10(b). If so, please identify the related matter and indicate whether this is an improvement on an earlier invention. Other patents related matter is:

Active Device Receiptacle - US Patent Number 6,086,263

Is this an improvement?:

Yes

11. Please specify the product(s) to which this invention disclosure relates.

VCSEL Optical Transmitter Subassemblies

12. Please indicate keywords for identifying this invention disclosure.

Laser diode, fiber optic, optical design, fiber face reflection, fiber stop, optical feedback

Inventor

Name:

Only one witness signature is required.

Witness Name:

Inventor

Signature:

Date: 3 May 2002
Inventor Name: JAMES GUENTER
Inventor Signature: [Signature]
Date: 5/3/02

Inventor Name: Bo Su Chen
Inventor Signature: [Signature]
Date: 5/3/02

Inventor Name: Raymond Baggiano
Inventor Signature: [Signature]
Date: 5/3/02

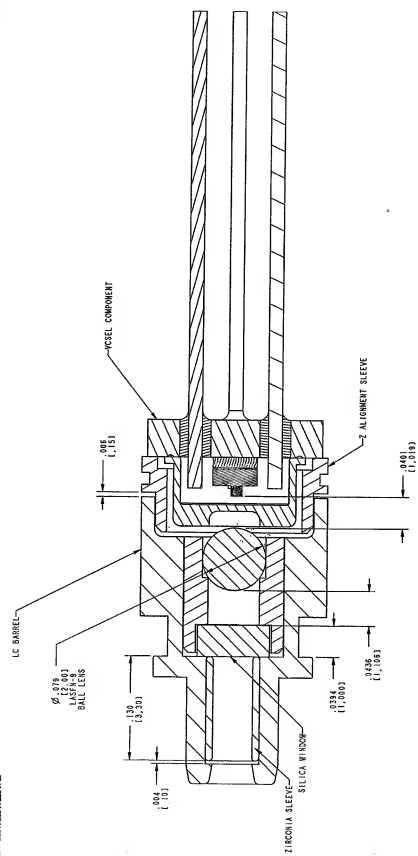
Send to:
Andrew A. Abeyta
16404 N. Black Canyon Hwy., MS: AZ15-1E20
Phoenix, AZ 85053-3033

Date: _____
Inventor Name: JAMES ORENSTEIN
Inventor Signature: [Signature]
Date: 5/3/02

Inventor Name: James C Lee
Inventor Signature: [Signature]
Date: 5/13/02

Inventor Name: Bernard Q. Li
Inventor Signature: [Signature]
Date: 5/13/02

HONEYWELL
PROPRIETARY



SECTION A-A
SCALE 14:1

Honeywell

NEW YORK NY 10001
30384

ASE-1WSA-VER
REVISION 31

APPENDIX B

to

RESPONSE TO OFFICE ACTION MAILED
JULY 20, 2006



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10/721,197 Coupling of optical components in an optical subassembly

Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Document	Publication Dates	Address & Attorney/Agent
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Bibliographic Data

Application Number:	10/721,197	Customer Number:	-
Filing or 371 (c) Date:	11-25-2003	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	04-14-2006
Examiner Name:	HEALY, BRIAN	Location:	ELECTRONIC
Group Art Unit:	2883	Location Date:	-
Confirmation Number:	5516	Earliest Publication No:	US 2004-0252952 A1
Attorney Docket Number:	4189-PA19	Earliest Publication Date:	12-16-2004
Class / Subclass:	385/088	Patent Number:	-
First Named Inventor:	Michael Ayiliffe, San Jose, CA (US)	Issue Date of Patent:	-
Title of Invention:	Coupling of optical components in an optical subassembly		

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